

FILED

2022 MAY -6 PM 3:24

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
ECC

CASSANDRA CELESTINE
9800 S. 5th Avenue
Inglewood, CA 90305
Tel.: (310) 242-0007
Email: 2007legacy8995@gmail.com

IN PRO SE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LACV22-3081-FMO(Ex)

Case No.:

U.S. BANK TRUST, N.A., AS
TRUSTEE FOR LSF9 MASTER
PARTICIPATION TRUST,

Plaintiff,

v.

CASSANDRA CELESTINE; and DOES
1 through 6, Inclusive,

Defendants.

**DEFENDANT, NOTICE OF
REMOVAL OF ACTION PURSUANT
TO 28 U.S.C. §§ 1331, 1441, and
1443(1) and (2)**

TO THE CLERK OF THE UNITED STATES COURT FOR THE SOUTHERN
DISTRICT OF CALIFORNIA:

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§1331, 1441(a) and 1443(1)
and (2), CASSANDRA CELESTINE, the Defendant in the above-captioned case
removes this action from the Superior Court of California for the County of Los Angeles.
The action is hereby removed to this court as set forth below:

The defendant is named in a civil action filed in the Superior Court of Los Angeles
titled U.S. BANK TRUST, N.A. v. CELESTINE. The above-referenced case was
commenced when plaintiff filed a Summons and Complaint in the aforementioned Court,
Case No.: 21IWUD00434. A true and correct copy of the Summons and Complaint is
attached hereto as **Exhibit "A"**.

NOTICE OF REMOVAL OF ACTION

1 This matter is a civil action of which this court has jurisdiction under 28 U.S.C.
2 section 1443 (1) and (2): Denial of due process in Unlawful Detainer: Eviction after
3 foreclosure and/or rental lease and ejectment, in that the rules of evidence and civil
4 procedure are applied without equal protection.

5 The amount in controversy due to civil rights violations which it is intended this Court
6 remedy exceeds \$75,000.

7 Therefore, this is a civil action over which this Court has original jurisdiction and the
8 action is removable to this Court pursuant to 28 U.S.C., section 1441(a) through 1446.

9 Pursuant to the aforementioned above, the facts of the case are as follows:

10 **I.**

11 **STATEMENT OF THE CASE**

12 1. On August 17, 2021 U.S. BANK, N.A. filed an action for unlawful detainer,
13 known as Case Number 21IWUD00434.

14 2. Plaintiff U.S. BANK TRUST, N.A. (hereinafter "U.S. BANK TRUST")
15 asserts one claim for possession, under Code of Civil Proc., § 1161a. (Complaint attached
16 herein as **Exhibit 1**).

17 3. Plaintiff claims to be the owner of the real property that Defendant lives in,
18 and remains in, as of the time of the Unlawful Detainer case filing on August 17, 2021 per
19 the subject property located at 9800 S. 5th Avenue, Inglewood, CA 90305, Los Angeles
20 County, and seeks to evict Defendant from the subject property.

21 **II.**

22 **BASIS FOR REMOVAL**

23 4. Defendant is an African American who is being denied her legal rights in the
24 unlawful detainer proceeding, to equal protection, due in part to her ethnic heritage, per 28
25 USC 1443(1). The failure of Plaintiff to comply with Covid-related strictures related to the
26 ongoing unlawful detainer proceedings is an additional reason for the current removal.

1 5. Plaintiff and the State Court are depriving Defendant of due process of law in
2 that she is being dispossessed of her property, in noncompliance with Federal law. The
3 State Court is typically backed by the appellate department in adjudicating these matters,
4 and is therefore not an adequate check on the State Court's mishandling of these matters.

5 6. Cases filed in state court may be removed where the district court has original
6 subject matter jurisdiction over the case. 28 U.S.C. § 1441(a). District courts "have original
7 jurisdiction of all civil actions arising under the Constitution, laws or treaties of the United
8 States." 28 U.S.C. § 1331. "The existence of federal question jurisdiction is ordinarily
9 determined from the face of the complaint." *Sparta Surgical Corp. v. National Ass'n of*
10 *Sec. Dealers, Inc.*, 159 F.3d 1209, 1211 (9th Cir. 1998).

11 7. Under the well-pleaded complaint rule, a defendant may remove a case to
12 federal court if "the plaintiff's complaint establishes that the case 'arises under' federal
13 law." *Franchise Tax Bd. v. Construction Laborers Vacation Trust*, 463 U.S. 1, 10 (1983);
14 *Duncan v. Stuetzle*, 76 F.3d 1480, 1485 (9th Cir. 1996).

15 8. A case "arises under" federal law when the complaint "establishes either that
16 federal law creates the cause of action or that the plaintiff's right to relief necessarily
17 depends on resolution of a substantial question of federal law." *Franchise Tax Bd.*, 463
18 U.S. at 27-28. A single claim over which federal question jurisdiction exists is sufficient
19 for removal. *Exxon Mobil Corp. v. Allapattah Servs., Inc.*, 545 U.S. 546, 563 (2005); *City*
20 *of Chicago v. International College of Surgeons*, 522 U.S. 156, 164-66 (1997).

21 9. Plaintiff alleges that it is entitled to possession based on the allegation that
22 Plaintiff is a bona fide purchaser, having purchased the subject property, Defendant's
23 longtime home, at a trustee sale, claiming falsely that same sale was done in compliance
24 with Civil Code § 2924, and alleges "title was duly perfected." Defendant disputes that
25 Plaintiff has duly perfected the title at issue in the unlawful detainer matter.

26 10. "Under California law, mere possession of real property creates a protected
27 interest." *In Re Perl* at 1130 (citing to CAL. CIV. CODE § 1006, which states: "Occupancy
28 for any period confers a title sufficient against all except the state and those who have title

1”). “[T]he mere possession of real estate is constantly treated as property which may
2 be purchased and sold, and for the recovery of which an action may be maintained against
3 one having no better title.” *King v. Goetz*, 70 Cal. 236, 240, 11 P. 656, 658 (1886). See 12
4 WITKIN ON REAL PROP., SUMMARY 10TH (2005) § 208 (possession gives possessor
5 substantial right).

6 **III.**

7 **CONCLUSION**

8 14. Defendant prays that plaintiff’s action be removed to the United States District
9 Court, that all further proceedings in the California Superior Court be stayed, and that
10 defendant receives all relief to which she is entitled.

11 Dated: May 05, 2022

12 By:



13 CASSANDRA CELESTINE
14 Defendant

EXHIBIT “A”

SUM-130

FOR COURT USE ONLY
SOLO PARA USC DE LA CORTE

[illegible]

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LIFE MASTER
FEDERATION TRUST

¡AVISO! Usted ha sido demandado. Si no responde dentro de 5 días, el tribunal puede emitir un fallo en su contra sin una audiencia. Una vez que le entreguen esta citación y papeles legales, solo tiene 5 DÍAS, sin contar sábado y domingo y otros días feriados del tribunal, para presentar una respuesta por escrito en este tribunal, y hacer que se entregue una copia al demandante.

Una carta o una llamada telefónica no lo protege. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y mas información en el Centro de Ayuda de las Cortes de California (www.sudcorte.ca.gov). En la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no presente su respuesta a tiempo, puede perder el caso por falta de comparecencia y se le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados local.

EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario de la corte que le de un formulario de exención de pago de cuotas. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos extras con un gravamen sobre cualquier cantidad de \$10,000 o más recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desestimar el caso.

- CASE NUMBER (numero del caso):

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: *(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es:*
 Randall D. Haiman, Esq. (#81048) Telephone No: (858) 224-3800
 Haiman Law Group, PC Fax No: (858) 224-6801
 4660 La Jolla Village Dr., Ste. 650, San Diego, CA 92122

PLAINTIFF (Name): U.S. BANK TRUST, N.A., AS TRUSTEE FOR LIFE MASTER PARTICIPATION TRUST	SUM-130 <small>CASE 1:01-858</small>
DEFENDANT (Name): HARRISON TELEPHONE 415 255 1 10 5, INC.	

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400-6415) ☒ did not ☐ do for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 6 on the next page.)

4. Unlawful detainer assistant (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):

- a. Assistant's name:
- b. Telephone no.:
- c. Street address, city, and zip:

- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

Sherri R. Carter Executive Officer / Clerk of Court

Date: 08/17/2021
Fecha:

Clerk by S. Venzant . Deputy
(Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons, (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (form POS-010)).



5. NOTICE TO THE PERSON SERVED: You are served

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as an occupant.
- d. ☐ on behalf of (specify):
 under: ☐ CCP 416.10 (corporation). ☐ CCP 416.63 (minor).
 ☐ CCP 416.20 (defunct corporation). ☐ CCP 416.70 (conservatee).
 ☐ CCP 416.40 (association or partnership). ☐ CCP 416.90 (authorized person).
 ☐ CCP 416.46 (occupant). ☐ other (specify):
- e. ☐ by personal delivery on (date):

Electronically FILED by Superior Court of California, County of Los Angeles on 05/17/2022 12:44 PM. Sheri R. Carter, Executive Officer/Clerk of Court, by S. Hernandez, Deputy Clerk

UD-101

ATTORNEY OR PARTY WITHOUT ATTORNEY		STATE BAR NUMBER	FOR COURT USE ONLY
NAME Randall D. Naiman, Esq. (#81048)			
FIRM NAME Naiman Law Group, PC			
STREET ADDRESS 4660 La Jolla Village Dr., Ste 650			
CITY San Diego		STATE CA ZIP CODE 92122	
TELEPHONE NO (858) 224-6800		FAX NO (858) 224-6801	
EMAIL ADDRESS Randall@Naimanlaw.com			
ATTORNEY FOR: U.S. Bank Trust N.A., as Trustee for LSF9 Master Partici			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
STREET ADDRESS One Regent Street			
MAILING ADDRESS One Regent Street			
CITY AND ZIP CODE Inglewood, CA 90301			
BRANCH NAME INGLEWOOD COURTHOUSE			
PLAINTIFF: U.S. Bank Trust N.A., as Trustee for LSF9 Master Partici			
DEFENDANT: CASSANDRA TELESTINE; and DOES 1 to 6, inclusive			
PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER			CASE NUMBER
For action filed (check one): <input type="checkbox"/> before October 5, 2020 <input checked="" type="checkbox"/> on October 5, 2020, or later			

All plaintiffs in unlawful detainer proceedings must file and serve this form. Filing this form complies with the requirement in Code of Civil Procedure section 1179.01.5(c).

- Serve this form with the summons.
- If a summons has already been served without this form, then serve it by mail or any other means of service authorized by law.
- If defendant has answered prior to service of this form, there is no requirement for defendant to respond to the supplemental allegations before trial.

Before obtaining a judgment in an unlawful detainer action for nonpayment of rent on a residential property, a plaintiff will be required to verify that no rental assistance or other financial compensation has been received for the amount in the notice demanding payment or accruing afterward, and no application is pending for such assistance. For a default judgment, plaintiff must use Verification by Landlord Regarding Rental Assistance (form UD-120) to make this verification.

1. PLAINTIFF (name each):

U.S. Bank Trust N.A., as Trustee for LSF9 Master Participation Trust

alleges causes of action in the complaint filed in this action against DEFENDANT (name each):

CASSANDRA TELESTINE; and DOES 1 to 6, inclusive

2. Statutory cover sheet allegations (Code Civ. Proc., § 1179.01.5(c))

- a. This action seeks possession of real property that is (check all that apply): ☒ Residential ☐ Commercial
(If "residential" is checked, complete items 3 and 4 and all remaining items that apply to this action. If only "commercial" is checked, no further items need to be completed except the signature and verification.)

- b. This action is based, in whole or in part, on an alleged default payment of rent or other charges. Yes ☒ No

3. Tenants subject to COVID-19 Tenant Relief Act (Code Civ. Proc., § 1179.02(h))

- a. (1) One or more defendants in this action is a natural person: ☒ Yes ☐ No

(2) Identify any defendant not a natural person:

(If no is checked, then no further items need to be completed except the signature and verification.)

- b. (1) All defendants named in this action maintain occupancy as described in Civil Code section 1940.2. ☒ Yes ☐ No

(2) Identify any defendant who does not:

(If yes is checked, then no further items need to be completed except the signature and verification.)

Page 1 of 4

Form Approved for Mandatory Use
Under California Court Rules
Effective January 1, 2017

PLAINTIFF'S MANDATORY COVER SHEET AND
SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER

Code of Civil Procedure, Article 4, Section 1179
www.courtinfo.ca.gov

CEB Essential
cebs.com Forms

PLAINTIFF: U.S. Bank Trust, N.A., as Trustee for 1999 Master Parties DEFENDANT: CASSIOPPA VELAZQUEZ; and JESSICA P. VELAZQUEZ	UD-101 CASE NUMBER
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4. Federal law allegations

a. Defendant ☐ has ☒ has not provided a statement under penalty of perjury for the Centers for Disease Control and Prevention's order for Temporary Halt in Evictions to Prevent Further Spread of COVID-19 (65 Federal Register 55292) or its extension. (Note to plaintiff: Proceeding in violation of the federal order may result in civil or criminal penalties.)

b. This action ☐ does ☒ does not seek possession of a dwelling unit in property that has a federally backed multifamily mortgage for which forbearance has been granted under title 15 United States Code section 9057.

(1) Date forbearance began:

(2) Date forbearance ended:

5. ☐ Unlawful detainer notice expired before March 1, 2020

The unlawful detainer complaint in this action is based solely on a notice to quit, to pay or quit, or to perform covenants or quit, in which the time period specified in the notice expired before March 1, 2020. (If this is the only basis for the action, no further items need to be completed except the signature and verification on page 4. (Code Civ. Proc., § 1179.03.5(a)(1).))

6. ☐ Rent or other financial obligations due between March 1, 2020, and August 31, 2020 (protected time period)

The unlawful detainer complaint in this action is based, at least in part, on a demand for payment of rent or other financial obligations due in the protected time period. (Check all that apply.)

a. ☐ Defendant (name each):

was served the "Notice from the State of California" required by Code of Civil Procedure section 1172.04, and if more than one defendant, on the same date and in the same manner. (Provide information regarding service of this notice in item 8 below.)

b. ☐ One or more defendants was served with the notice in item 6a on a different date or in a different manner, which service is described in attachment 6c.

c. ☐ Defendant (name each):

was served with at least 15 days' notice to pay rent or other financial obligations, quit, or deliver a declaration, and an unsigned declaration of COVID-19-related financial distress, in the form and with the content required in Code of Civil Procedure section 1179.03(b) and (d).

(If the notice identified defendant as a high-income tenant and requested submission of documentation supporting any declaration the defendant submits, complete item 9 below. (Code Civ. Proc., § 1179.02.5(c).))

(If filing form UD-100 with this form and item 6c is checked, specify this 15-day notice in item 9a(7) on form UD-100, attach a copy of the notice to that complaint form, and provide all requested information about service on that form.)

d. Response to notice (check all that apply):

(1) ☐ Defendant (name each):

delivered a declaration of COVID-19-related financial distress on landlord in the time required. (Code Civ. Proc., § 1179.03(f).)

(2) ☐ Defendant (name each):

did not deliver a declaration of COVID-19-related financial distress on landlord in the time required. (Code Civ. Proc., § 1179.03(f).)

7. ☐ Rent or other financial obligations due between September 1, 2020, and June 30, 2021 (the transition time period)

The unlawful detainer complaint in this action is based, at least in part, on a demand for payment of rent or other financial obligations due during the transition time period.

a. ☐ Defendant (name each):

was served the "Notice from the State of California" required by Code of Civil Procedure section 1179.04, and if more than one defendant, on the same date and in the same manner. (Provide information regarding service of this notice in item 8 below.)

UD-101

PLAINTIFF: U.S. Bank Trust, N.A., as Trustee for 2022 Master Rental
DEFENDANT: PASADENA COLLEGE; and 2022 L.A. 100, INCORPORATE

CASE NUMBER

7. b. ☐ One or more defendants was served with the notice in item 7a on a different date or in a different manner, which service is described in attachment 8c.
- c. ☐ Defendant (name each):

was served with at least 15 days' notice to pay rent or other financial obligations, quit, or deliver a declaration, and an unsigned declaration of COVID-19-related financial distress, in the form and with the content required in Code of Civil Procedure section 1179.03(c) and (d).

If the notice identified defendant as a high-income tenant and requested submission of documentation supporting any declaration the defendant submits, complete item 9 below. (Code Civ. Proc., § 1179.02.5(c).)

If filing form UD-100 with this form and item 6c is checked, specify this 15-day notice in item 9a(7) on form UD-100, attach a copy of the notice to that complaint form, and provide all requested information about service on that form.)

8. Response to notice (check all that apply):

- (1) ☐ Defendant (name each):

delivered a declaration of COVID-19-related financial distress on the landlord in the time required. (Code Civ. Proc., § 1179.03(f).)

- (2) ☐ Defendant (name each):

do not deliver a declaration of COVID-19-related financial distress on the landlord in the time required. (Code Civ. Proc., § 1179.03(f).)

9. ☐ Rent due (complete only if action filed after June 30, 2021):

- (1) Rent in the amount of \$ was due between September 1, 2020 and June 30, 2021.
- (2) Payment of \$ for that period was received by June 30, 2021.

8. Service of Code of Civil Procedure Section 1179.04 Notice From the State of California (check all that apply):

a. ☐ The notice identified in item 6a and 7a was served on the defendant named in those items as follows:

- (1) ☐ By personally handing a copy to defendant on (date):
- (2) ☐ By leaving a copy with (name or description):
a person of suitable age and discretion, on (date):
☐ residence ☐ business AND mailing a copy to defendant at defendant's place of residence.
- (3) ☐ By posting a copy on the premises on (date):
☐ AND giving a copy to a person found residing at the premises AND mailing a copy to defendant at the premises on (date):
a) ☐ because defendant's residence and usual place of business cannot be ascertained OR
b) ☐ because no person of suitable age or discretion can be found there.
- (4) ☐ By sending a copy by mail addressed to the defendant on (date):

b. ☐ (Name):

was served on behalf of all defendants who signed a joint written rental agreement.

c. ☐ Information about service of notice on the defendants alleged in items 6b and 7b is stated in Attachment 8c.

d. ☐ Proof of service of the notice or notices in items 6a, 6b, 7a, and 7b is attached to this form and labeled Exhibit 1.

9. ☐ High-income tenant. The 15-day notice in item 6c or 7c above identified defendant as a high-income tenant and requested submission of documentation supporting the tenant's claim that tenant had suffered COVID-19-related financial distress. Plaintiff had proof before serving that notice that the tenant has an annual income that is at least 150 percent of the median income for the county the rental property is located in and not less than \$100,000. (Code Civ. Proc., § 1179.02.5.)

a. ☐ The tenant did not deliver a declaration of COVID-19-related financial distress within the required time. (Code Civ. Proc., § 1179.03(f).)

b. ☐ The tenant did not deliver documentation within the required time supporting that the tenant had suffered COVID-19-related financial distress as asserted in the declaration. (Code Civ. Proc., § 1179.02.5(c).)

UD-101 Rev. May 14, 2021

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Forms

PLAINTIFF'S MANDATORY COVER SHEET AND
SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER

Page 3 of 4

PLAINTIFF: <u>U.S. Bank Trust, N.A., as Trustee for 1999 Master Pooled</u> DEFENDANT: <u>CASSANDRA CELESTINE; and DOES 1 to 5, inclusive</u>	UD-101 CASE NUMBER:
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10. ☐ **Just cause eviction.** (Only applicable if action is filed before July 1, 2021. Note: If the tenancy is subject to the Tenant Protection Act (including Civil Code section 1946.2), plaintiff must, if using form UD-100, complete item 8 on that form in addition to this item.)
- a. ☐ The tenancy identified in the unlawful detainer complaint in this action was terminated for at-fault just cause as defined in Civil Code section 1946.2(b)(1), which reason is in the notice of termination. (Code Civ. Proc., § 1179.03.5(a)(3)(A)(i).)
- b. ☐ The tenancy identified in the unlawful detainer complaint in this action was terminated for no-fault just cause as defined in Civil Code section 1946.2(b)(2), which reason is in the notice of termination. (Code Civ. Proc., § 1179.03.5(a)(3)(A)(ii).) (Complete (1) or (2) below, only if applicable.)
- (1) ☐ The no-fault just cause is the intent to demolish or substantially remodel, which ☐ is ☐ is not necessary to comply with codes, statutes, or regulations relating to the habitability of the rental units. (Code Civ. Proc., § 1179.03.5(a)(3)(A)(i).)
- (2) ☐ The tenancy identified in the complaint in this action was terminated because the owner of the property has entered into a contract with a buyer who intends to occupy the property and the property ☐ does ☐ does not meet all the requirements of Civil Code section 1946.2(a)(8). (Code Civ. Proc., § 1179.03.5(a)(3)(A)(ii).)
- c. ☐ This action is based solely on the cause of termination checked in item 10a or b above, and is not for nonpayment of rent or other financial obligations. (If this item applies, plaintiff may not recover any rental debt due from the period between March 1, 2020, and June 30, 2021, as part of the damages in this action. (Code Civ. Proc., § 1179.03.5(a)(3)(B).))
11. ☐ **Rent or other financial obligations due after June 30, 2021.** (Only applicable if action is filed on or after July 1, 2021.) The only demand for rent or other financial obligations on which the unlawful detainer complaint in this action is based is a demand for payment of rent due after June 30, 2021.
12. ☐ **Statements regarding rental assistance** (Required in all actions based on nonpayment of rent or any other financial obligation. Plaintiff must answer all the questions in this item and, if later seeking a default judgment, will also need to file Verification Regarding Rental Assistance--Unlawful Detainer (form UD-120).)
- a. Has plaintiff received rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint? ☐ Yes ☐ No
- b. Has plaintiff received rental assistance or other financial compensation from any other source for rent accruing after the date of the notice underlying the complaint? ☐ Yes ☐ No
- c. Does plaintiff have any pending application for rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint? ☐ Yes ☐ No
- d. Does plaintiff have any pending application for rental assistance or other financial compensation from any other source for rent accruing after the date on the notice underlying the complaint? ☐ Yes ☐ No
13. ☐ Number of pages attached (specify):

Date: August 17, 2021

Randall D. Haiman, Esq.
TYPE OF PRINT NAME

[Signature]
SIGNATURE OF PLAINTIFF OR ATTORNEY

VERIFICATION

(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)

I am the plaintiff in this proceeding and have read this complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 17, 2021

Randall D. Haiman, Esq.
TYPE OF PRINT NAME

[Signature]
SIGNATURE

UD-101, Rev. May 24, 2021

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**PLAINTIFF'S MANDATORY COVER SHEET AND
 SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER**

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CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address) Randall D. Naiman, Esq. (#81048) Naiman Law Group, PC 4660 La Jolla Village Dr., Ste. 650 San Diego, CA 92122 TELEPHONE (858) 224-6800 FAX (858) 224-6801 ATTORNEY FOR (Name, U.S. Bank Trust, N.A., AS TRUSTEE FOR LOTS 1000FF PART	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS INGLEWOOD COURTHOUSE MAILING ADDRESS One Regent Street CITY AND ZIP CODE Inglewood, CA 90301 BRANCH NAME INGLEWOOD COURTHOUSE	
CASE NAME U.S. BANK V. CELESTINE	

CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount exceeds \$25,000) <input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER JUDGE DEPT.
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Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PIPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PIPD/WD (23) Non-PIP/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PIP/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (18)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input checked="" type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (35) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition for appointment award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/toxic tort (50) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. <input type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses
e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
|--|--|
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): 1
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: August 17, 2021

Randall D. Naiman, Esq.

TYPE OR PRINT NAME

SIGNATURE OF PARTY OR ATTORNEY FOR PARTY

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.229.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22) Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (45) *If the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto.*

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (34)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (not asbestos or toxic environmental) (24)
Medical Malpractice (46)
Medical Malpractice-Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (57)
Civil Rights (e.g., discrimination, false arrest), and civil harassment (108)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (not medical or legal)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (38)
Breach of Rental Lease
Contract (not unlawful detainer or wrongful eviction)
Contract/Warranty Breach-Seller
Plaintiff (not fraud or negligence)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (39)
Collection Case-Seller Plaintiff
Other Promissory Note Collections Case
Insurance Coverage (not provisionally complex) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (not eminent domain, landlord/tenant, or foreclosure)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) *If the case involves illegal drugs, check this item; otherwise report as Commercial or Residential.*

Judicial Review

Asset Forfeiture (35)
Petition for Arbitration Award (11)
Writ of Mandate (32)
Writ-Administrative Mandamus
Writ-Mandamus or Limited Court Case Matter
Writ-Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal-Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)

Antitrust/Trade Regulation (30)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Commission of Judgment (non-domestic relations)
Sister State Judgment
Administrative Agency Award (not unpaid taxes)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (not specified above) (42)
Declaratory Relief Only
Injunctive Relief Only (non-harassment)
Mechanics Lien
Other Commercial Complaint Case (non-tort/non-complex)
Other Civil Complaint (non-tort/non-complex)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (not specified above) (43)
Civil Harassment
Workplace Violence
Elder Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief from Late Claim
Other Civil Petition

SHORT TITLE U.S. BANK v. CELESTINE	CASE NUMBER
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**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District 2. Permissive filing in central district 3. Location where cause of action arose. 4. Mandatory personal injury filing in North District 5. Location where performance required or defendant resides. 6. Location of property or permanently garaged vehicle. | <ul style="list-style-type: none"> 7. Location where petitioner resides. 8. Location where defendant respondent functions wholly. 9. Location where one or more of the parties resides 10. Location of Labor Commissioner Office. 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury) |
|---|--|

	A Civil Case Cover Sheet Category No.	B Type of Action Check only one!	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (48)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1, 4, 11
Other Personal Injury/Property Damage/ Wrongful Death Tort	Asbestos (64)	<input type="checkbox"/> A6070 Asbestos Property Damage	1, 11
		<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1, 4, 11
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11
	Other Personal Injury/ Property Damage/ Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1, 4, 11
<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)		1, 4, 11	
<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress		1, 4, 11	
<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death		1, 4, 11	

SHORT TITLE U.S. BANK V. CELESTINE	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (37)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (38)	<input type="checkbox"/> A6005 Civil Rights Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
	Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination
Other Employment (15)		<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Contract		Breach of Contract/ Warranty (36) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach-Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6026 Other Breach of Contract/Warranty (not fraud or negligence)
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 5, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute (not breach/insurance fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 5, 9
	Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7000 Eminent Domain Condemnation Number of parcels
Wrongful Eviction (33)		<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 5
Other Real Property (26)		<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6050 Other Real Property (not eminent domain/landlord/tenant/foreclosure)	2, 5 2, 5 2, 5
Unlawful Detainer		Unlawful Detainer- Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)
	Unlawful Detainer- Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer- Post-Foreclosure (34)	<input checked="" type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer- Drugs (35)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

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Essential Forms

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**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

1000 Rule 22
Page 2 of 4

Johnson Jones Management

REPORT TITLE		CASE NUMBER	
C. S. BANK V. CELESTINE			
A	B	C	Applicable
Civil Case Cover Sheet	Type of Action	Reasons - See Step 3	Above
Category No.	(Check only one)		
Judicial Review			
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6	
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5	
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2, 8	
	<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2	
	<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2	
Other Judicial Review (39)	<input type="checkbox"/> A6159 Other Writ/Judicial Review	2, 8	
Provisionally Complex Litigation			
Anti-Trust Trade Regulation (03)	<input type="checkbox"/> A6003 Anti-Trust/Trade Regulation	1, 2, 8	
Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	2, 3	
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8	
Securities Litigation (08)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8	
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8	
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage Subrogation (complex case only)	1, 2, 5, 9	
Enforcement of Judgment			
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11	
	<input type="checkbox"/> A6150 Abstract of Judgment	2, 8	
	<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9	
	<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8	
	<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8	
	<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 6, 9	
Miscellaneous Civil Complaints			
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8	
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8	
	<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic harassment)	2, 8	
	<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort, non-complex)	1, 2, 8	
	<input type="checkbox"/> A6006 Other Civil Complaint (non-tort, non-complex)	1, 2, 8	
Miscellaneous Civil Petitions			
Partnership/Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8	
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment With Damages	2, 3, 9	
	<input type="checkbox"/> A6123 Workplace Harassment With Damages	2, 3, 9	
	<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case With Damages	2, 3, 9	
	<input type="checkbox"/> A6190 Election Contest	2	
	<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender	2, 7	
	<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2, 2, 9	
	<input type="checkbox"/> A6100 Other Civil Petition	2, 9	

SHORT TITLE: U.S. BANK v. CELESTINE	CASE NUMBER
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input checked="" type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input checked="" type="checkbox"/> 11.	ADDRESS: 9800 S 5th Avenue
CITY: Inglewood	STATE: CA
	ZIP CODE: 90305

Step 5: Certification of Assignment: I certify that this case is properly filed in the Southwest Judicial District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1) Et].

Dated: August 17, 2021


SIGNATURE OF ATTORNEY FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LASC CIV 109, LASC Approved 03-04 (Rev. 12-15).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

Electronically FILED by Superior Court of California, County of Los Angeles on 05/17/2021 02:41 PM. Sten R. Carter, Executive Officer/Clerk of Court, by S. Verdant, Deputy Clerk. 211WUD06454

Assigned for all purposes to: Inglewood Courthouse, Judicial Officer: Ronald Frank

1 Randall D. Naiman, Esq. - State Bar No. 81048
2 NAIMAN LAW GROUP,
3 Professional Corporation
4 4660 La Jolla Village Drive, Suite 650
San Diego, California 92122
(858) 224-6800 (telephone)
(858) 224-6801 (facsimile)

5 Attorney for Plaintiff, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER
6 PARTICIPATION TRUST

7
8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
9 INGLEWOOD SUPERIOR COURT
10

11 U.S. BANK TRUST, N.A., AS TRUSTEE
12 FOR LSF9 MASTER PARTICIPATION
13 TRUST

14 Plaintiff,

15 vs.

16 CASSANDRA CELESTINE; and DOES 1 to
17 6, inclusive

18 Defendants.
19

Case No.:

LIMITED CIVIL CASE

COMPLAINT FOR UNLAWFUL
DETAINER

AMOUNT DEMANDED DOES NOT
EXCEED \$10,000.00

Action based on Code of Civil Procedure
Section 1161a

Foreclosure

20 Plaintiff alleges:

21 1. This court is the proper court for the trial of this action because:

22 a. Each Defendant resides and or conducts business in the area served by this Court;

23 b. The real property which is the subject of this action, 9800 S 5th Avenue, Inglewood,
24 CA 90305, and as more particularly described as Assessor Parcel Number 4027-023-005, and as set
25 forth in the legal description attached hereto as Exhibit "A" and incorporated herein by this reference
26 (hereinafter "the Property"), is located in the area served by this Court; and

27 c. The amount of damages claimed in this action does not exceed \$10,000.00.
28

Complaint - Unlawful Detainer

1 2. Plaintiff is informed and believes and upon such information and belief alleges that
2 Defendant(s) Cassandra Celestine (hereinafter "Defendant(s)") at all times herein mentioned is are
3 currently resident(s) of the County of Los Angeles, State of California, and reside within the
4 jurisdictional boundaries of this Court.

5 3. The true names and capacities of Does 1 through 6, inclusive, are presently unknown
6 to Plaintiff, who therefore sues such Defendant(s) under such fictitious names pursuant to Section
7 474 of the Code of Civil Procedure. Plaintiff is informed and believes, and on such information and
8 belief, alleges that each such "Doe" Defendant is in possession of the Property, without the
9 permission or consent of Plaintiff, and Plaintiff will amend this complaint to state the true names
10 and capacities of said Defendant(s) when the same have been ascertained.

11 4. Plaintiff is the owner of and entitled to immediate possession of the Property,
12 Defendant(s), and each of them, are and remain in possession of the Property.

13 5. On or about January 21, 2020, the Property was sold to Plaintiff at a trustee's sale
14 following foreclosure proceedings. Said foreclosure and all notices preceding said foreclosure were
15 done in compliance with Section 2924 et. seq. of the California Civil Code, under power of sale
16 contained in a deed of trust executed by Cassandra Celestine, as trustor, and title under the sale was
17 duly perfected in Plaintiff by the recording of a Trustee's Deed Upon Sale in the Official Records,
18 County of Los Angeles. A true and correct copy of the Trustee's Deed Upon Sale is attached to this
19 complaint as Exhibit "B" and incorporated herein by this reference.

20 6. On August 12, 2021, Defendant(s), and each of them, were served with a three-day
21 written notice to quit and deliver up possession of the Property to Plaintiff ("Notice") and the cover
22 sheet described in California Code of Civil Procedure section 1161c ("Cover Sheet"). The Notice
23 and Cover Sheet were served in accordance with Code of Civil Procedure section 1162. True and
24 correct copies of the Notice, Cover Sheet, and Proof(s) of Service thereof are attached to this
25 complaint collectively as Exhibit "C" and incorporated herein by this reference.

26 7. More than three (3) days have elapsed since the service of the Notice (excluding
27 Saturdays, Sundays and judicial holidays), but Defendant(s) have failed and refused to deliver up
28 possession of the Property.

1 8. Defendant(s) continue in possession of the Property without Plaintiff's permission or
2 consent.

3 9. Defendant(s) hold(s) over and continue(s) in possession of the Property willfully,
4 intentionally and deliberately without permission or consent of Plaintiff, and Plaintiff is entitled to
5 immediate possession of the Property.

6 10. The reasonable value of the use and occupancy of the Property is at least \$50.00 per
7 day, and damages to Plaintiff caused by Defendant(s)' unlawful detention thereof has accrued at said
8 rate since August 16, 2021, and will continue to accrue at said rate so long as Defendant(s) remain
9 in possession of the property.

10 WHEREFORE, Plaintiff prays judgment against Defendant(s) as follows:

- 11 1. For restitution and possession of the Property;
- 12 2. For damages in the amount of at least \$50.00 per day from August 16, 2021, through
13 the date of entry of judgment;
- 14 3. For costs of suit herein; and,
- 15 4. For such other and further relief as the court may deem just and proper.

16
17 Dated: August 17, 2021

NAIMAN LAW GROUP,
Professional Corporation

18
19
20 By: 

Randall D. Naiman, Esq.
Attorney for Plaintiff, U.S. BANK TRUST, N.A., AS
TRUSTEE FOR LSF9 MASTER
PARTICIPATION TRUST

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VERIFICATION

I, the undersigned, say:

That I am the attorney for Plaintiff in this action. The Plaintiff is absent from the County of San Diego, California, where I have my office in that Plaintiff's headquarters are not located in this county, or the Plaintiff is otherwise unable to verify this pleading as of the date set forth hereinbelow, and I make this verification for and on behalf of the party for that reason. I have read the foregoing complaint for unlawful detainer and know its contents. I am informed and believe, and on that ground, allege that the matters stated in it are true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 17, 2021, at San Diego, California.

NAIMAN LAW GROUP
Professional Corporation

By: 

Randall D. Naiman, Esq.
Attorney for Plaintiff, U.S. BANK TRUST, N.A., AS
TRUSTEE FOR LSF9 MASTER
PARTICIPATION TRUST

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 7461 S Gringham Blvd LA CA 90043. On May 06, 2022, I served the within **DEFENDANT, NOTICE OF REMOVAL OF ACTION PURSUANT TO 28 U.S.C. §§ 1331, 1441, and 1443(1) and (2)** on the interested parties in said action as follows:

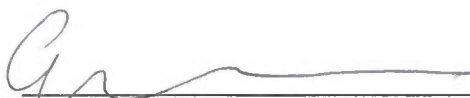
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Attorney for Plaintiff,

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST

☒ **BY MAIL** – I deposited such envelope for collection and delivery via USPS with postage fees paid.

☒ I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Dated: May 06, 2022


Printed Name: